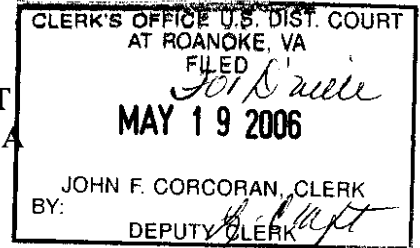


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION



JACOB E. FRITH, II;

and

JAMES B. FRITH, JR.;

and

FRITH CONSTRUCTION CO., INC.;

and

JAMES B. FRITH, JR. &
ASSOCIATES, LLP;

and

GREAT NORTHERN NEKOOSA
CORPORATION, a Maine Corp. doing
business as J&J South-East, Inc.,

Plaintiffs,

v.

MARTINSVILLE THERMAL, LLC,
a Delaware Limited Liability Company;

and

THERMAL VENTURES, INC.,
a Delaware Corporation;

and

THERMAL VENTURES, L.P.,
a Delaware Limited Partnership;

and

Civil Action No. 4:05CV00074

ORDER

By: James C. Turk
Senior United States District Judge

THERMAL VENTURES, II, L.P.,)
a Delaware Limited Partnership;)
)
and)
)
HOOKER FURNITURE CORP.;)
)
and)
)
RESURGENCE PROPERTIES, LLC;)
)
and)
)
EJS COMPANY,)
)
Defendants.)

In accordance with the accompanying memorandum opinion entered this day, it is and
shall be **ORDERED** as follows:

- (1) Defendants' motion to realign nominal defendants Hooker Furniture Corp., ResurgenceProperties, LLC, and EJS Company as parties plaintiff is **GRANTED**; and henceforth the title of the case will be the following:

Jacob E. Frith, II; James B. Frith, Jr.; Firth Construction Co., Inc.; James B. Frith, Jr. & Associates, LLP; Great Northern Nekoosa Corporation, a Maine Corp. doing business as J&J South-East, Inc.; Hooker Furniture Corp.; Resurgence Properties, LLC; and EJS Company,
Plaintiffs
v.

Martinsville Thermal, LLC, a Delaware Limited Liability Company; Thermal Ventures, Inc., a Delaware Corporation; Thermal Ventures, L.P., a Delaware Limited Partnership; and Thermal Ventures, II, L.P., a Delaware Limited Partnership,
Defendants.

- (2) Plaintiffs' motion to remand this action to state court is **DENIED**.

The clerk is directed to realign nominal defendants Hooker Furniture Corp., Resurgence Properties, LLC, and EJS Company as parties plaintiff; and to send certified copies of this order

to all counsel for the parties.

ENTER: This 19th day of May, 2006.



SENIOR UNITED STATES DISTRICT JUDGE